

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

SERGIO MURILLO,
Individually and on behalf
of all others similarly situated,

Plaintiff,

v.

BERRY BROS. GENERAL CONTRACTORS,
INC.

Defendant.

§ § Civil Action No. 6:18-CV-01434

§ § DISTRICT JUDGE JUNEAU

§ § MAGISTRATE JUDGE WHITEHURST

**JOINT MOTION TO APPROVE SETTLEMENT
AND DISMISS CASE WITH PREJUDICE**

NOW INTO COURT, through undersigned counsel, come all parties, Plaintiff Sergio Murillo, individually and on behalf of the other six individuals who filed consents to join this collective action (collectively, “Plaintiffs”), and Defendant, Berry Bros. General Contractors Inc. (Berry Bros.) are pleased to announce they have reached a settlement with respect to this Fair Labor Standards Act (FLSA) case. The parties file this joint motion asking the Court: (1) approve the parties’ settlement agreement; and (2) dismiss this lawsuit with prejudice. As more fully set forth in the attached memorandum, the settlement agreement reached by the parties represents a compromise of this litigation that will provide relief to Plaintiffs.

The Parties therefore request the Court approve their settlement agreement and dismiss this lawsuit with prejudice.

Respectfully submitted,

BRUCKNER BURCH PLLC

/s/ Rex Burch

By: _____
Richard J. (Rex) Burch
State Bar No. 24001807
8 Greenway Plaza, Suite 1500
Houston, TX 77046
713.877.8788
713-877-8065 fax
rburch@brucknerburch.com

/s/ Kenneth W. DeJean

Kenneth W. DeJean
La. Bar No. 4817
Law Offices of Kenneth W. DeJean
417 W. University Ave.
P.O. Box 4325
Lafayette, LA 70502
Telephone: (337) 235-5294
Telecopier: (337) 235-1095
kwdejean@kwdejean.com

FITAPELLI & SCHAFFER, LLP

Joseph A. Fitapelli, *admitted pro hac vice*
Armando A. Ortiz, *admitted pro hac vice*
28 Liberty Street, 30th Floor
New York, New York 10005
Telephone: (212) 300-0375
jfitapelli@fslawfirm.com
aortiz@fslawfirm.com

ATTORNEYS FOR PLAINTIFFS

LISKOW & LEWIS PLC

/s/ Kindall C. James

By: _____
Thomas J. McGoe II, T.A. (LA
#18330)
tjmegoe@liskow.com
Kindall C. James (LA #31203)
kjames@liskow.com

701 Poydras Street, Suite 5000
New Orleans, Louisiana 70139
Telephone: (504) 581-7979
Fax: (504) 556-4108

1001 Fannin Street, Suite 1800
Houston, Texas 77002
Telephone: (713) 651-2900
Fax: (713) 651-2908

**ATTORNEYS FOR
BERRY BROS. GENERAL
CONTRACTORS INC.**

CERTIFICATE OF CONFERENCE

This is a joint motion.

/s/ Kenneth W. DeJean

Kenneth W. DeJean

CERTIFICATE OF SERVICE

On the date stamped above, I served this document via the Court's ECF system.

/s/ Kenneth W. DeJean

Kenneth W. DeJean